

APPEAL NO. 032765
FILED DECEMBER 8, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on September 24, 2003. The hearing officer decided that the respondent (claimant herein) was entitled to supplemental income benefits (SIBs) for the 14th and 15th quarters. The appellant (carrier herein) files a request for review in which it contends that the hearing officer erred in awarding SIBs. The carrier primarily argues that the hearing officer erred in finding that the claimant's unemployment is a direct result of the claimant's impairment from the compensable injury because that finding is based upon the incorrect assumption that the claimant's cognitive and seizure disorders are part of his compensable injury. The carrier also argues that the hearing officer erred in finding that the claimant had a totally inability to work during the qualifying periods for the 14th and 15th quarters. There is no response from the claimant to the carrier's request for review in the appeal file.

DECISION

Finding sufficient evidence to support the decision of the hearing officer and no reversible error in the record, we affirm the decision and order of the hearing officer.

At the carrier's request, and with the agreement of the claimant, the hearing officer permitted the parties to present the exact same evidence at the present hearing as was presented in an earlier CCH in which eligibility for the 7th, 10th, 11th, 12th, and 13th quarters was in issue. This was done so that the attorneys and the claimant would not have to travel to the present CCH, due to the distances involved and the state of the claimant's health. The Appeals Panel reviewed the earlier decision in which the hearing officer awarded SIBs for the 7th, 10th, 11th, 12th, and 13th quarters in Texas Workers' Compensation Commission Appeal No. 031766, decided August 25, 2003, and affirmed the decision of the hearing officer. As the evidence is identical in the present case to Appeal No. 031766, we affirm the hearing officer's decision in the present case for the same reasons we affirmed her decision in Appeal No. 031766.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Margaret L. Turner
Appeals Judge